

Attorney Docket No. AUS920030586US1

(1) I am a patent attorney and was responsible for the preparation and filing of the present Application, Serial No. 10/759,930, as outside counsel for the Assignee of record for the Application.

(2) As outside counsel for the Assignee of record, I received the Disclosure document soon after the document was prepared by the inventors and approved by the Assignee's internal review team and patent counsel. The disclosure was received in our offices on or around June 24, 2003.

(3) From the time I received the Disclosure, I set about to prepare a patent application covering the Disclosure document in that I (a) reviewed the Disclosure; (b) read the background material about the subject matter and general information about the art; (c) discussed the Disclosure with the inventors on numerous occasions; (d) prepared a draft of the invention, including associated figures and claims; (e) forwarded a copy of the draft to the inventors for technical review; (f) communicated with the inventors about the draft and requested comments; (g) subsequently made suggested or recommended changes to the draft; (h) prepared a final version of the application for submission to the USPTO; and (g) directed a staff assistant to prepare the formal documents for filing the patent application, which filing occurred on January 16, 2004.

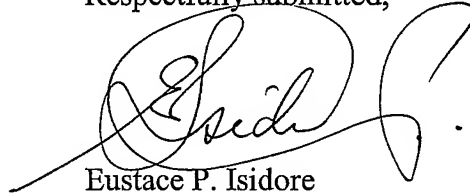
(4) All acts above are completed in the normal course of business and I was diligent in completing the patent application within the normal time frame for preparation and filing of a patent application.

(5) In view of the facts stated in items 1-4, diligence is established from before the filing date of *Allam* until the filing of the present patent Application, and *Allam* is therefore disqualified as a supporting reference for a rejection under 35 U.S.C. § 103(a).

(7) I further declare that all statements made herein of my own knowledge and all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment of both under §1001 of Title 18 of United States Code and that such willful and false statements may jeopardize the validity of the above-referenced application and any patent issuing therefrom.

FURTHER DECLARANT SAYETH NOT.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Isidore", with a large, stylized flourish extending from the end of the signature.

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